

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

HERBERT WILLIAM JONES, JR.,

Plaintiff

v.

RONALD HITE, et al.,

Defendants.

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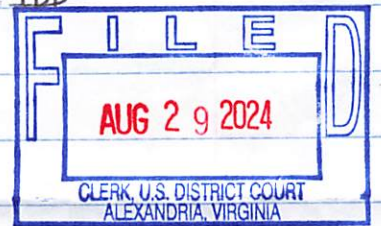
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No. 1:22 cv 01284-CMH-IDD

PLAINTIFF MOTION TO SUPPLEMENTDUE PROCESS CLAIM

Plaintiff Herbert Jones states the following in support of Motion for Leave to Supplement Due Process claim:

ALLEGATIONS

On June 28, 2020 Glenda Ford ("Ford") dialed 911 to report hearing a suspicious noise on her front porch. When Ms. Ford opened the door, the subject fled from the porch. Major Hite (Ronald) answered the call and took Ms. Ford's Statement. He responded to the Ford residence at 120 Gate Wood Avenue to investigate. "Prior to leaving his office," Major Hite brought a "single photograph" of Herbert Jones with him to the residence, and after talking with Ms. Ford, Major Hite displayed the "single photograph" and asked Ms. Ford if Jones was the subject on her porch. However, Ms. Ford indicated that she was unable to see the subject's

face before he fled from the porch in the direction of Tyler street.

### DUE PROCESS VIOLATION

Officer Hite's use of a one-person pretrial photo display in obtaining an identification from Ms. Ford.... Was so unnecessarily suggestive and conducive to irreparable mistaken identification that plaintiff was denied due process of law. The evidence derived from the identification procedure also prejudiced plaintiff right to a fair trial thereby, when Ms Ford identified plaintiff in court as the person who fled from her porch on June 28, 2020. The trial record supports these critical facts and will be entered into evidence at a later date.

Plaintiff Jones hereby incorporates by reference the allegations on this issue set forth in claim (claim #1) of his currently pending 1983 complaint, as if fully set forth herein.

Accordingly, plaintiff Jones, pro se, and respectfully request that this Court grant his Motion to Supplement Due Process claim. Dawson v. General Motors Corp, 977 F.2d 369, 372-73 (7th Cir. 1992),

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CERTIFICATE OF SERVICE

I hereby certify that on this 25<sup>th</sup> day of August 2024, a true original copy of this Motion for Leave to Supplement Due Process claim was mailed postage paid to counsel for defendant Ronald Hite at :

Mr. M. Scott Fisher, Jr.  
Harman, Claytor, Corrigan & Wellman  
P.O. Box 70280  
Richmond, Virginia 23255

I declare under penalty of perjury that the foregoing and everything previously filed in this Court by the plaintiff is true and correct.

Herbert William Jones Jr. date August 25, 2024